

**Title 10 – Department of Natural Resources  
Division 80 – Solid Waste Management  
Chapter 2 – General Provisions**

**PROPOSED AMENDMENT**

**10 CSR 80-2.010 Definitions** The department is amending section (5) and (18), adding seven (7) new sections, and renumbering sections (44) through (127).

*PURPOSE: This amendment updates the definitions of two existing terms and adds definitions of seven (7) terms.*

- (1) Alkaline-manganese battery or alkaline battery means a battery having a manganese dioxide positive electrode, a zinc negative electrode, an alkaline electrolyte, including alkaline-manganese button cell batteries intended for use in watches, calculators, and other electronic products, and larger-sized alkaline-manganese batteries in general household use.
- (2) Button cell battery or button cell means any small alkaline-manganese or mercuric oxide battery having the size and shape of a button.
- (3) Airport means a public-use airport open to the public without prior permission and without restrictions within the physical capacities of available facilities.
- (4) Applicant means a person who applies for a solid waste permit from the department.
- (5) Aquifer means a [geologic] **hydrostratigraphic** unit [or stratum] capable of consistently yielding a sufficient amount of water to a monitoring well within twenty-four (24) hours of purging for sampling and analysis.
- (6) Areas susceptible to mass movement means those areas of influence (for example, areas characterized as having an active or substantial possibility of mass movement) where the movement of earth material at, beneath or adjacent to the sanitary landfill, because of natural or man-induced events, results in the downslope transport of soil and rock material by means of gravitational influence. Areas of mass movement include, but are not limited to, landslides, avalanches, debris slides and flows, solifluction, block sliding and rock fall.
- (7) Bedrock means the solid rock strata underlying solid and unconsolidated surface materials.
- (8) Bird hazard means an increase in the likelihood of bird/aircraft collisions that may cause damage to the aircraft or injury to its occupants.
- (9) Cell means compacted solid wastes that are enclosed on all sides by natural soil or cover in a solid waste disposal area.
- (10) City means any incorporated city, town or village.
- (11) Clean fill means uncontaminated soil, rock, sand, gravel, concrete, asphaltic concrete, cinderblocks, brick, minimal amounts of wood and metal, and inert solids as approved by rule or policy of the department for fill, reclamation or other beneficial use.
- (12) Closure means the permanent cessation of active disposal operations, abandonment of the disposal area, revocation of the permit or filling with waste of all areas and volumes specified in the permit and preparing the area for long-term care.

- (13) Closure plan means plans, designs and relevant data which specify the methods and schedule by which the operator will complete or cease disposal operations, prepare the area for long-term care and make the area suitable for other uses, to achieve the purposes of the Solid Waste Management Law and the corresponding rules.
- (14) Commercial waste means all types of solid waste generated by stores, offices, restaurants, warehouses and other non-manufacturing activities, excluding residential and industrial wastes.
- (15) Commingled recyclables means more than one(1) source separated recyclable material that has been placed in a single container for collection.
- (16) Competent bedrock means solid rock that underlies unconsolidated deposits (including residuum) which displays limited evidence of weathering throughout the rock mass.
- (17) Compost facility means a solid waste processing facility using a controlled process of microbial degradation of organic material which was not source-separated into a stable, nuisance-free humus-like product.
- (18) Confining [*bed*] **unit** means a [*body*] **hydrostratigraphic unit** of low permeability material above or below one (1) or more aquifers.
- (19) Cover means soil or other suitable material that is used to cover compacted solid waste in a solid waste disposal area.
- (20) Demolition landfill means a solid waste disposal area used for the controlled disposal of demolition wastes, construction materials, brush, wood wastes, soil, rock, concrete and inert solids insoluble in water.
- (21) Department means the Department of Natural Resources.
- (22) Detailed site investigation means the process of conducting a detail surface and subsurface geologic and hydrologic investigation for a proposed solid waste disposal area.
- (23) Detail site investigation report means a written report that is submitted to the Missouri Department of Natural Resources concerning the results of a detailed surface and subsurface geologic and hydrologic investigation for a proposed solid waste disposal area.
- (24) Detailed site investigation workplan means a plan for conducting a detailed surface and subsurface geologic and hydrologic investigation for a proposed solid waste disposal area.
- (25) Director means the director of the Department of Natural Resources.
- (26) Displacement means the relative movement of any two (2) sides of a fault measured in any direction.
- (27) Existing sanitary landfill means any sanitary landfill that continues to receive solid waste in contiguous areas after October 9, 1993.
- (28) Fault means a fracture or a zone of fractures in any material along which strata on one side have been displaced with respect to that on the other side.
- (29) Final closure means that a solid waste disposal area has ceased taking waste, has completed all closure activities applicable to the Solid Waste Management Program's law and rules and has obtained closure approval from the program.
- (30) Financial assurance instrument means an instrument or instruments including, but not limited to, cash or surety bond, letters of credit, corporate guarantee or secured trust fund, submitted by the applicant to ensure proper closure, post-closure care, or corrective

action of a solid waste disposal area in the event that the operator fails to correctly perform closure, post-closure care, or corrective action except that the financial test for the corporate guarantee shall not exceed one and one-half (1 1/2) times the estimated cost of closure and post-closure. The form and content of the financial assurance instrument shall meet or exceed the requirements of the department. The instrument shall be reviewed and approved or disapproved by the attorney general.

(31) Flood area means any area inundated by one hundred (100)-year flood event, or the flood event with a one percent (1%) chance of occurring in any given year.

(32) Floodplain means the lowland and relatively flat areas adjoining inland waters, that are inundated by the one hundred (100)-year flood.

(33) Gas condensate means the liquid generated as a result of gas recovery process(es) at the solid waste disposal area.

(34) Geologic structure means the post-depositional deformation of bedrock and surficial materials resulting from physical stresses, (e.g. faults, folds).

(35) Groundwater means water in the saturated zone beneath the land surface.

(36) Groundwater monitoring plan means a description of the strategy for effectively monitoring groundwater at a proposed or existing solid waste disposal area.

(37) Hazardous wastes means any waste or combination of wastes, as determined by the Hazardous Waste Commission by rules and regulations, which, because of quantity, concentration, or physical, chemical or infectious characteristics, may cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illnesses, or pose a present or potential threat to the health of humans or the environment.

(38) Holocene means the most recent epoch of the Quaternary Period, extending from the end of the Pleistocene Epoch to the present.

(39) Horizontal expansion means an expansion of a disposal area beyond current permitted disposal area limits through issuance of a new permit by the department.

(40) Household consumer means an individual who generates used motor oil through the maintenance of the individual's personal motor vehicle, vessel, airplane, or other machinery powered by an internal combustion engine.

(41) Household consumer used motor oil collection center means any site or facility that accepts or aggregates and stores used motor oil collected only from household consumers or farmers who generate an average of twenty-five (25) gallons per month or less of used motor oil in a calendar year. This section shall not preclude a commercial generator from operating a household consumer used motor oil collection center.

(42) Household consumer used motor oil collection system means any used motor oil collection center at publicly owned facilities of private locations, any curbside collection of household consumer used motor oil, or any other household consumer used motor oil collection program determined by the department to further the purposes of the Solid Waste Management Law.

(43) Household waste means any solid waste (including garbage, trash and sanitary waste in septic tanks) derived from households (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds and day-use recreation areas).

**(44) Hydrostratigraphic unit means a geologic stratum or group of strata that exhibit similar characteristics with respect to transmission of fluids or gases.**

**(45)** Incinerator means a solid waste processing facility consisting of any device or structure resulting in weight or volume reduction of solid waste by combustion.

[(45)] **(46)** Incinerator residue means all wastes that remain after combustion, including bottom ash, fly ash, slag and grate siftings.

[(46)] **(47)** Infectious waste means waste in quantities and characteristics as determined by the department by rule that is capable of producing an infectious disease because it contains pathogens of sufficient virulence and quantity so that exposure to the waste by a susceptible human host could result in an infectious disease. These wastes include isolation wastes, cultures and stocks of etiologic agents, blood and blood products, pathological wastes, other contaminated wastes from surgery and autopsy; contaminated laboratory wastes, sharps, dialysis unit wastes, discarded biological materials known or suspected to be infectious; provided, however, that infectious waste does not mean waste treated to department specifications.

[(47)] **(48)** Infectious waste processing facility means a solid waste processing facility permitted specifically for the treatment or other processing of infectious waste.

[(48)] **(49)** Karst terranes means areas where karst, with its characteristic surface and subsurface features, is developed as the result of dissolution of limestone, dolomite or other soluble rock. Characteristic physiographic features present in karst terranes include, but are not limited to, sinkholes, losing streams, caves, solution channels or conduits, springs and solution valleys.

[(49)] **(50)** Land surveyor means a land surveyor licensed to practice by the Missouri Board for Architects, Professional Engineers and Land Surveyors.

[(50)] **(51)** Leachate means liquid that has percolated through solid waste or has come in contact with solid waste and has extracted, dissolved or suspended materials from it.

[(51)] **(52)** Leachate collection system means any combination of landfill base slopes, liners, permeable zones, pipes, sumps, pumps or retention structures that is designed, constructed and maintained to monitor leachate generation in a solid waste disposal area and collect and remove leachate as necessary to reduce leachate depth over a landfill base.

[(52)] **(53)** Lead acid battery means a battery designed to contain lead and sulfuric acid with a nominal voltage of at least six (6) volts and of the type intended for use in motor vehicles and watercraft.

[(53)] **(54)** Liner means a continuous layer(s) of soil, man-made materials, or both, beneath and on the sides of a solid waste disposal area which controls and minimizes the downward or lateral escape of solid waste, solid waste constituents or leachate.

[(54)] **(55)** Liquid waste means any waste material that is determined to contain free liquids as defined by Method 9095 (Paint Filter Liquids Test), as described in *Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods* (EPA Pub. No. SW-846).

[(55)] **(56)** Lithified earth material means all rock, including all naturally occurring and naturally formed aggregates or masses of minerals or small particles of older rock that formed by crystallization of magma or by induration of loose sediments. This term does not include man-made materials, such as fill, concrete and asphalt or unconsolidated earth materials, soil or regolith lying at or near the earth surface.

[(56)] **(57)** Major appliance means clothes washers and dryers, water heaters, trash compactors, dishwashers, microwave ovens, conventional ovens, ranges, stoves, woodstoves, air conditioners, refrigerator, and freezers.

[(57)] **(58)** Maximum horizontal acceleration in lithified earth material means the maximum expected horizontal acceleration depicted on a seismic hazard map, with a ninety percent (90%) or greater probability that the acceleration will not be exceeded in two hundred fifty (250) years, or the maximum expected horizontal acceleration based on a site-specific seismic risk assessment.

[(58)] **(59)** Mercuric-oxide battery or mercury battery means a battery having a mercuric-oxide positive electrode, a zinc negative electrode, and an alkaline electrolyte, including mercuric-oxide button cell batteries generally intended for use in hearing aides and larger size mercuric-oxide batteries used primarily in medical equipment.

[(59)] **(60)** Motor oil means any oil intended for use in a motor vehicle, as defined in section 301.010, RSMo, train, vessel, airplane, heavy equipment, or other machinery powered by an internal combustion engine.

[(60)] **(61)** Municipal wastes means household waste, commercial, agricultural, governmental, industrial and institutional waste which have chemical and physical characteristics similar to those of household waste.

[(61)] **(62)** New sanitary landfill means any sanitary landfill that has not received waste prior to October 9, 1993.

[(62)] **(63)** On-site means the same or geographically contiguous property which may be divided by public or private right-of-way, provided the entrance and exit between the properties is at a crossroads intersection and access is by crossing, as opposed to going along, the right-of-way. Noncontiguous properties owned by the same person but connected by a right-of-way which s/he controls and to which the public does not have access is also considered on-site property.

[(63)] **(64)** One hundred (100)-year flood means a flood that has a one percent (1%) or greater chance of recurring in any given year or a flood of a magnitude equalled or exceeded once in one hundred (100) years on the average over a significantly long period.

[(64)] **(65)** Open burning means the combustion of solid waste without: 1) control of combustion air to maintain adequate temperature for efficient combustion, 2) containment of the combustion reaction in an enclosed device to provide sufficient residence time and mixing for complete combustion and 3) control of the emission of the combustion products.

[(65)] **(66)** Open dump means an unpermitted solid waste disposal area at which solid wastes are disposed of in a manner that does not protect the environment, are susceptible to open burning and are exposed to the elements, vectors and scavengers.

[(66)] **(67)** Operator means a person who is responsible for the overall day-to-day operation and maintenance of a facility and along with the owner, obtains a solid waste permit from the department.

[(67)] **(68)** Owner means any person holding a freehold interest in the land upon which the solid waste disposal area or solid waste processing facility is located.

[(68)] **(69)** Owner/operator means owner and operator.

**(70) Permeable geologic media means soil or lithified earth material that has a hydraulic conductivity of greater than  $1.0 \times 10^{-6}$  centimeters per second (cm/sec), as**

**determined in-situ aquifer tests, packer tests or other methods approved by the department's geological survey program.**

[(69)] (71) Permit modification means any approval issued by the department which alters or modifies the provision of an existing permit previously issued by the department.

[(70)] (72) Person means individual, partnership, corporation, association, institution, city, county, other political subdivision, authority, state agency or institution or federal agency or institution.

[(71)] (73) Phase means a distinct area of a landfill, identifiable both in the plans and in the field by natural boundaries or permanent survey markers. A phase must include provisions for constructing and operating leachate collection systems, liners, gas collection systems and any other landfill structures independent of any other phase.

[(72)] (74) Phased development means the division of the construction and operations of a solid waste disposal area permit into two (2) or more distinct phases in order to facilitate more orderly construction, operation, closure or post-closure care, or both, of the solid waste disposal area, with each phase being distinctly identifiable both in the plans and in the field by natural boundaries or permanent survey markers, or both.

**(75) Piezometer means a well that is used to measure groundwater elevation or depth.**

[(73)] (76) Plans mean reports and drawings, including a narrative operating description, prepared to describe the solid waste disposal area or solid waste processing facility design, its proposed operation and closure and postclosure care.

[(74)] (77) Poor foundation conditions means those areas where features exist which indicate that a natural or man-induced event may result in inadequate foundation support for the structural components of a landfill.

[(75)] (78) Post-closure care means all maintenance and monitoring performed at a solid waste disposal area after closure is complete to prevent or minimize existing or potential health hazards, public nuisance or environmental pollution and in accordance with the terms of the permit, the Solid Waste Management Law and the corresponding rules.

[(76)] (79) Post-closure plan means plans, designs and relevant data which specify the methods and schedules by which the operator shall perform necessary monitoring and care for the area after closure to achieve the purposes of the Solid Waste Management Law and the corresponding rules.

**(80) Potable groundwater means groundwater that is safe for human consumption in that it is free from impurities in amounts sufficient to cause disease or harmful physiological effects and has less than 10,000 parts per million total dissolved solids.**

[(77)] (81) Preliminary site investigation means an investigation conducted by the Division of Geology and Land Survey to determine the geohydrologic suitability for further exploration at a proposed solid waste disposal area.

[(78)] (82) Professional engineer means a professional engineer licensed to practice by the Missouri Board for Architects, Professional Engineers and Land Surveyors.

[(79)] (83) Qualified groundwater scientist means a scientist or licensed professional engineer who has received a baccalaureate or postgraduate degree in the natural sciences or engineering and has sufficient training and experience in groundwater hydrology and related fields as may be demonstrated by state registration, professional certifications or completion of accredited university programs that enable that individual to make sound

professional judgments regarding groundwater monitoring, contaminant fate and transport, and corrective action.

**(84) Rapid migration means the movement of fluids at rates in excess of 10 feet per year as determined by: tracer tests, age dating, in-situ aquifer testing, packer tests or other methods as approved by the Geological Survey Program.**

[(80)] **(85)** Recovered materials means those material which have been diverted or removed from the solid waste stream for sale, use, reuse or recycling, whether or not they require subsequent separation and processing.

[(81)] **(86)** Recycled content means the proportion of fiber or content in a product which is derived from postconsumer waste.

[(82)] **(87)** Recycling means the separation and reuse or remanufacture of materials which might otherwise be disposed of as solid waste.

[(83)] **(88)** Recycling center means any collection (not manufacturing) facility or system that accepts source-separated recyclable or commingled recyclable materials for processing and resale to markets for resource recovery for example: aluminum cans and scraps, tin, copper, glass, paper products, plastics, bimetal and steel containers, ferrous and nonferrous metals.

[(84)] **(89)** Resource recovery means a process by which recyclable and recoverable material is removed from the waste stream to the greatest extent possible, as determined by the department and pursuant to department standards, for reuse or remanufacture.

[(85)] **(90)** Resource recovery facility means any facility including a material recovery facility in which recyclable and recoverable material is removed from the waste stream to the greatest extent possible, as determined by the department and pursuant to department standards, for reuse or remanufacture.

[(86)] **(91)** Runoff means any liquid that drains over land from any part of a facility.

[(87)] **(92)** Run-on means any liquid that drains over land onto any part of a facility.

[(88)] **(93)** Salvaging means the controlled removal of solid waste materials for utilization.

[(89)] **(94)** Sanitary landfill means a permitted solid waste disposal area employing an engineered method of disposing of solid wastes on land in a manner that minimizes environmental hazards by spreading the solid wastes in thin layers, compacting the solid wastes to the smallest practical volume and applying cover at the end of each operating day. Sanitary landfills include all disposal area that accept all types of solid waste including, but not limited to, commercial and residential solid waste.

[(90)] **(95)** Scavenging means uncontrolled or unauthorized removal of solid waste from a solid waste disposal area or solid waste processing facility.

[(91)] **(96)** Seismic impact zone means an area with a ten percent (10%) or greater probability that the maximum horizontal acceleration in lithified earth material, expressed as a percentage of the earth's gravitational pull (g), will exceed 0.10g in two hundred fifty (250) years.

**(97) Site means any area proposed for construction of a solid waste disposal area.**

[(92)] **(98)** Sludge means the accumulated semisolid suspension of settled solids deposited from wastewaters or other fluids in tanks or basins.

[(93)] **(99)** Soil means sediments or other unconsolidated accumulations of solid particles produced by the physical and chemical disintegration of rocks and which may or may not contain organic matter.

[(94)] **(100)** Solid waste means garbage, refuse and other discarded materials including, but not limited to, solid and semisolid waste materials resulting from industrial, commercial, agricultural, governmental and domestic activities, but does not include hazardous waste as defined in sections 260.360 to 260.434, RSMo recovered materials, overburden, rock, tailings, matte, slag or other waste material resulting from mining, milling or smelting.

[(95)] **(101)** Solid waste disposal area means any area used for the disposal of solid waste from more than one (1) residential premises, or one (1) or more commercial, industrial, manufacturing, recreational or governmental operation.

[(96)] **(102)** Solid waste management plan means a set of documents legally adopted by a state recognized governing body of a local or regional solid waste management program to administer the solid waste management system(s) for a minimum of ten (10) years.

[(97)] **(103)** Solid waste management system means the entire process of managing solid waste in a manner which minimizes the generation and subsequent disposal of solid waste, including waste reduction, source separation, storage, collection, transportation, recycling, resource recovery, volume minimization, processing market development and disposal of solid wastes.

[(98)] **(104)** Solid waste processing facility means any facility where solid wastes are salvaged and processed, including:

(A) A transfer station; or

(B) An incinerator which operates with or without energy recovery but excluding waste tire end-user facilities; or

(C) A material recovery facility which operates with or without composting.

[(99)] **(105)** Solid waste technician means an individual who has successfully completed training in the practical aspects of the design, operation and maintenance of a permitted solid waste processing facility or solid waste disposal area in accordance with the Solid Waste Management Law and rules.

[(100)] **(106)** Source reduction means practices which avoid, eliminate or minimize the generation of solid waste.

[(101)] **(107)** Source-separated recyclable material means a waste material, for which a market exists, which has not been commingled with other solid waste but has been kept separate at the point of generation.

[(102)] **(108)** Special waste means waste which is not regulated hazardous waste, which has physical or chemical characteristics, or both, that are different from municipal, demolition, construction and wood wastes, and which potentially require special handling.

[(103)] **(109)** Special waste landfill means a solid waste disposal area permitted specifically for the disposal of one (1) or more special waste(s).

[(104)] **(110)** Special waste processing facility means a solid waste processing facility permitted specifically for the processing of one (1) or more special waste(s).

[(105)] **(111)** Structural components means liners, leachate collection systems, final covers, run-on/runoff systems and any other component used in the construction and operation of the solid waste disposal area that is necessary for protection of human health and the environment.

[(106)] **(112)** Tire means a continuous solid or pneumatic rubber covering encircling the wheel of any self-propelled vehicle not operated exclusively upon tracks, or a trailer as



defined in Chapter 301, RSMo, except farm tractors and farm implements owned and operated by a family farm or family farm corporation as defined in section 350.010, RSMo.

[(107)] **(113)** Transfer station means a site or facility which accepts solid waste for temporary storage, or consolidation and further transfer to a waste disposal, processing or storage facility. Transfer station includes, but is not limited to, a site or facility where waste is transferred from: a rail carrier, motor vehicle or water carrier to another carrier, if the waste is removed from the container or vessel.

[(108)] **(114)** Unstable area means a location that is susceptible to natural or human-induced events or forces capable of impairing the integrity of some or all of the landfill structural components responsible for preventing releases from a landfill. Unstable areas can include poor foundation conditions, areas, susceptible to mass movements and karst terranes.

[(109)] **(115)** Uppermost aquifer means the geologic formation nearest the natural ground surface that is an aquifer, as well as lower aquifers that are hydraulically interconnected with this aquifer within the property boundary.

**(116) Uppermost regional aquifer means the hydrostratigraphic unit closest to the ground surface that is capable of consistently yielding at least 360 gallons per day of potable water to a well and is commonly used for private or public drinking-water supply.**

[(110)] **(117)** Used motor oil means any motor oil which as a result of use, becomes unsuitable for its original purpose due to loss of original properties or the presence of impurities, but used motor oil shall not include ethylene glycol oils used for solvent purposes, oil fibers that have been drained of free-flowing used oil, oily waste, oil recovered from oil tank cleaning operation, oil spilled to land or water, or industrial nonlube oils such as hydraulic oils, transmission oils, quenching oils, and transformer oils.

[(111)] **(118)** Utility waste means fly ash waste, bottom ash waste, slag waste and flue gas emission control waste generated primarily from the combustion of coal or other fossil fuels.

[(112)] **(119)** Utility waste landfill means a solid waste disposal area used for fly ash waste, bottom ash waste, slag waste and flue gas emission control waste generated primarily from the combustion of coal or other fossil fuels.

[(113)] **(120)** Vector means a carrier including, but not limited to, arthropod, birds and rodents capable of transmitting a pathogen from one organism to another.

[(114)] **(121)** Vegetation means plant materials that have been specified in the closure/post-closure plans and have been specifically cultivated for cover on the landfill and borrow area. Vegetation should provide at least eighty percent (80%) coverage in order to control erosion and limit water infiltration.

[(115)] **(122)** Washout means the carrying away of solid waste by waters of the one hundred (100)-year flood.

[(116)] **(123)** Waste tire means a tire that is no longer suitable for its original intended purpose because of wear, damage, or defect.

[(117)] **(124)** Waste tire collection center means a site where waste tires are collected prior to being offered for recycling or processing and where fewer than five hundred (500) tires are kept on-site on any given day.

[(118)] **(125)** Waste tire end-user facility means a site where waste tires are used as a fuel or fuel supplement or converted into a useable product. Baled or compressed tires used in structures, or used at recreational facilities, or used for flood or erosion control shall be considered an end use.

[(119)] **(126)** Waste tire generator means a person who sells tires at retail or any other person, firm, corporation, or government entity that generates waste tires.

[(120)] **(127)** Waste tire processing facility means a site where tires are reduced in volume by shredding, cutting, chipping or otherwise altered to facilitate recycling, resource recovery or disposal.

[(121)] **(128)** Waste tire site means a site at which five hundred (500) or more waste tires are accumulated, but not including a site owned or operated by a waste tire end-user that burns waste tires for the generation of energy or converts waste tires to a useful product.

[(122)] **(129)** Waters of the state mean all rivers, streams, lakes and other bodies of surface and subsurface water lying within or forming a part of the boundaries of the state which are not entirely confined and located completely upon lands owned, leased or otherwise controlled by a single person or by two (2) or more persons jointly or as tenants in common and includes waters of the United States lying within the state.

[(123)] **(130)** Water table means the upper surface of a zone of saturation where the fluid pressure of the body of groundwater is equal to atmospheric pressure.

[(124)] **(131)** Well means any hole drilled in the earth for or in connection with the discovery or recovery of water, minerals, oil, gas or for or in connection with the underground storage of gas in natural formations.

[(125)] **(132)** Wetlands means those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands include, but are not limited to, swamps, marshes, bogs and similar areas.

[(126)] **(133)** Working face means that portion of the solid waste disposal area where solid wastes are discharged and are spread and compacted prior to the placement of cover.

[(127)] **(134)** Yard waste means leaves, grass clippings, yard and garden vegetation and Christmas trees. This term does not include stumps, roots or shrubs with intact root balls.

*AUTHORITY: sections 260.200 and 260.225, RSMo (Cum. Supp. 1996). \* Original rule filed Dec. 11, 1973, effective Dec. 21, 1973. Amended: Filed July 14, 1986, effective Jan. 1, 1987. Amended: Filed Jan. 5, 1987, effective June 1, 1987. Amended: Filed Jan. 29, 1988, effective Aug. 1, 1988. Amended: Filed Aug. 15, 1988, effective Dec. 29, 1988. Emergency amendment Sept. 29, 1993, effective Oct. 9, 1993, expired Feb. 5, 1994. Amended: Filed May 3, 1993, effective Jan. 13, 1994. Amended: Filed March 17, 1992. \*\* Emergency rescission of the 1992 amendment filed March 19, 1997, effective April 1, 1997, expired Sept. 27, 1997. Amended: Filed Oct. 10, 1996, effective July 30, 1997. Rescission of the 1992 amendment filed April 3, 1997, effective Aug. 30, 1997. \*Original authority: 260.200 and 260.225, RSMo (1972), amended 1975, 1986, 1988, 1990, 1993, 1995. \*\*The Missouri Supreme Court in *Missouri Coalition for the Environment, et al., v. Joint Committee on Administrative Rules, et al.*, Case No. 78628, dated February 25, 1997, ordered the secretary of state to publish this amendment. The Missouri Department*

*of Natural Resources subsequently filed an emergency rescission of this amendment as well as a proposed rescission of this amendment which became effective August 30, 1997. See the above authority section for filing dates.*

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